

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

<p>TIMOTHY R. BELL, an individual; and JENNIFER BELL, an individual,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p>v.</p> <p>COUNTRYWIDE BANK, N.A. d/b/a BANK OF AMERICA CORPORATION, a Delaware corporation; BAC HOME LOANS SERVICING, LP, a Texas limited partnership; RECONTRUST COMPANY, N.A., a national association; and DOES 1-5,</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>Case No. 2:11-cv-00271-BSJ</p> <p>JOINT SUBMISSION BY INTERVENOR PLAINTIFF STATE OF UTAH AND DEFENDANTS REGARDING NEGOTIATIONS AFTER JULY 20, 2012</p> <p>District Judge: Honorable Bruce S. Jenkins</p> <p>Magistrate Judge: Not assigned</p>
--	--

Pursuant to the Court's instruction during the September 27, 2012 hearing, counsel for the Intervenor-Plaintiff State of Utah and counsel for Defendants Countrywide Bank, N.A., d/b/a Bank of America Corporation ("Countrywide"), BAC Home Loans Servicing, LP ("BAC-HLS"), and ReconTrust Company, N.A. ("ReconTrust") (collectively "Defendants" or "Bank of America"), jointly submit as follows:

Subsequent to July 20, 2012, the following individuals participated in direct negotiations on behalf of the State of Utah and Defendants regarding the above-captioned matter:

Mark Shurtleff, Utah Attorney General

John E. Swallow, Chief Deputy Utah Attorney General

Brian Farr, Division Chief for State Agency Counsel

Jerry W. Kilgore, McGuireWoods LLP Partner (and former Virginia Attorney General)

Brian E. Pumphrey, McGuireWoods LLP Partner

Robert J. McGahan, Associate General Counsel, Bank of America Corporation

Between July 20, 2012 and September 26, 2012, there were numerous email, phone, and in-person communications among the above-listed representatives. Of particular note are the following:

On July 23 & 24, 2012, there were in-person discussions between Mr. Kilgore and Chief Deputy Swallow.

On August 7, 2012, there was an in-person meeting among Attorney General Shurtleff, Chief Deputy Swallow, Mr. Kilgore, Mr. Pumphrey, and Mr. McGahan.

Chief Deputy Swallow and Mr. Kilgore had follow-up telephone conference calls on August 27, 2012, September 5, 2012, and September 26, 2012.

Mr. Farr and Mr. Pumphrey also had a telephone conference on August 29, 2012, and follow up email communications on September 5, 2012.

DATED: October 9, 2012

Respectfully submitted,

<p><u>/s/ Philip D. Dracht</u></p> <p>FABIAN & CLENDENIN, P.C. 215 South State Street, Ste. 1200 Salt Lake City, UT 84111 Tel: (801) 323-2251 Fax: (801) 596-2814 pdracht@fabianlaw.com</p> <p>Amy Miller (VSB No. 70698) Phillip C. Chang (VSB No. 75741) MCGUIREWOODS LLP 2001 K Street, NW Suite 400 Washington, DC 20006-1040 Tel: (202) 857-51732 Fax: (202) 828-2963 amiller@mcguirewoods.com pchang@mcguirewoods.com <i>Admitted Pro Hac Vice</i></p> <p>Brian E. Pumphrey (VSB No. 47312) MCGUIREWOODS LLP One James Center 901 East Cary Street Richmond, Virginia 23219-4030 Tel: (804) 775-7745 Fax: (804) 698-2018 bpumphrey@mcguirewoods.com <i>Admitted Pro Hac Vice</i></p>	<p><u>/s/ Wade Farraway*</u></p> <p>Mark Shurtleff Utah Attorney General Jerrold Jensen Assistant Utah Attorney General Wade Farraway Assistant Utah Attorney General Attorneys for the State of Utah 160 East 300 South, Fifth Floor P.O. Box 140857 Salt Lake City, Utah 84114-0857 Tel: (801) 366-0353 jerroldjensen@utah.gov wfarraway@utah.gov</p>
---	---

*Counsel has indicated his consent for filing counsel to sign on his behalf.